

V. REMARKS REGARDING AMENDMENTS

The title has been amended to more accurately reflect the inventive subject matter described and claimed in the present application. The specification has been amended to correct grammar, punctuation and syntax errors, as well as clarify the written description by specially describing in words, features shown in the drawings, such as the raised, flat annular surface of the coined spacers and the tab support at the bottom of the chassis.

Claims 1-9 have been amended to replace the term "integrally formed" with language that specifically requires the flanges and holes to be within the one piece of metal that forms the chassis, to correct grammatical errors, and to incorporate the subject matter of claim 4. Claim 4 has been cancelled. Claim 1 is generic and it is requested that if found to be allowable, the restriction requirement to species claim 6 be withdrawn.

New claims 13-15 are presented to particularly point out and distinctly claim the present invention alternatively. Specifically, these claims are directed to the coined wheel spacer feature of the invention as disclosed at various places in the specification, such as, for example, page 4, lines 14-19; page 6, line 6 and lines 30-31; page 7, line 21- page 8, line 6 and as shown in, for example, Figures 1-5.

New dependent claims 16-17 are presented to particularly point out and distinctly claim the embossment feature of the

present invention, as disclosed at various places in the specification, such as, for example, page 5, lines 19-24; page 9, lines 4-12; and as shown in, for example, Figures 1-2.

No new matter has been added by any amendment.

VI. REPLY TO REJECTION OF CLAIM 1-5 and 7 UNDER
35 U.S.C. §102(b)

Claims 1-5 and 7 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,533,740 ("740") to Lin. Lin shows in Figures 1-3 a skate chassis with a bottom, a pair of sides and a plurality of flanges that are fastened together. The Examiner has apparently taken the position that these components as so fastened together are "integrally formed" as claimed. Applicant would reply as follows:

Claims 1-3, 5 and 7 have been amended to provide that the inventive features are limited to being formed in "one piece of metal", and claim 4 has been cancelled, with its subject matter now incorporated into claim 1. As such, it is believed that interpretation of the phrase "integrally formed" is moot, and therefore, the rejection should be withdrawn on this ground alone.

Also, Applicant would point out that the Lin '740 skate channel piece 10 is not adapted for attachment of footwear, as required by claim 1.

With respect to claims 2-3, Lin '749 does not have means for spacing the skate wheels between the sides, such as coined spacers; rather it merely has bores in the sides. With respect to claim 3, Applicant would point out that the "elongated apertures (51)", referred to in the Office Action, are actually bolts 51, as pointed out in Lin '740 at column 2, lines 26-30. If the Office Action intended to refer to the holes 220, 320, it is pointed out that the apertures in Lin '740, whether in the channel piece 10, the front bracket 20, or the rear bracket 30, are formed with flush edges. There simply are no elongated, or, as presently claimed "coined" apertures in the Lin structure.

VII. REPLY TO REJECTION OF CLAIM 8 UNDER 35 U.S.C.
§ 103(a)

Claim 8 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lin '740 in view of U.S. Patent No. 5,735,536 ("'536") to Robert Meyers. The Office Action adopts the position that the Lin '740 reference teaches all of the claimed subject matter except an embossment, which is asserted to be taught by Meyers '536, at column 6, lines 17-28, and as illustrated by the portions 32.

In reply Applicant would point out that claim 8 depends from claim 1, and therefore should be patentable for the same reasons as is claim 1. Additionally, Applicant would point out that the Meyers skate chassis is " . . . manufactured by extrusion manufacturing techniques . . . ", and as such the " . .

. convex, bulged or outward bowed portions 32 . . ." (column 6, line 21) necessarily would not be "an embossment". Rather, the is portion would inherently have been formed during the extrusion process. Because Meyers does not teach use of an embossment, it can not teach modification of Lin to include an embossment.

VIII. **REPLY TO REJECTION OF CLAIM 9 UNDER 35 U.S.C. §
 103(a)**

Claim 9 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lin '740 in view of U.S. Patent No. 5,470,085 to Meibock ("'085"). The Office Action asserts that Lin '740 teaches substantially all of the claim subject matter except a gusset, which is taught by Meibock '085.

Applicants would point out that claim 9 depends from claim 1, and is patentable for the same reasons as is claim 1. Furthermore, Meilbock is limited to a molded, plastic skate chassis having frame rails 15. Although the office action made reference to a teaching in Meibock of "a gusset" at column 6, lines 44-47, Applicants have been unable to locate any reference in Meilbock to a "gusset" or to any structure in Meibock which would perform any similar function to that of the claimed gusset. Clarification is requested.

IX. **MISCELLANEOUS**

With respect to the other references cited, but not relied upon, Applicants would point out as follows:

Lu '019 is not directed to a one-piece skate, has no coined spacer, has no embossment, has no gusset and appears to have been machined from a block or from an extrusion.

Petell '360 is directed to a machined extrusion type skate, has no coined spacer, has no embossment and has no gusset. Accordingly, none of the references cite, taken alone or in combination with each other, teach the presently claimed invention.

A Written Record Of Examiner's Interview Of June 12, 1998, is also submitted herewith.

The Declaration By Kirpal S. Chhukar under 37 C.F.R. § 1.132 is also submitted herewith. This declaration is submitted as evidence that the "black skate chassis" demonstrated to the Examiner on June 12, 1998, does not have coined spacers.

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Authorization is hereby granted to charge deposit account 19-2500 for any deficiency in claim fee or in any late fee.

X. CONCLUSION

For all of the above reasons, it is respectfully requested that all rejections be withdrawn, and a notice of allowance be issued.

Respectfully submitted,



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Dated: August 12, 1998

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